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Attorneys for Plaintiff
1ST MEDIA LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

1ST MEDIA LLC, Plaintiff, v. NAPSTER, INC., REALNETWORKS, INC., KSOLO, INC. and SLEP-TONE ENTERTAINMENT CORPORATION d/b/a SOUND CHOICE ACCOMPANIMENT TRACKS, Defendants.	Civil Action No. 2:07-cv-00056-LDG-GWF **PLAINTIFF'S MOTION TO SEVER AND FOR ENTRY OF DEFAULT JUDGMENT AGAINST DEFENDANT SLEP-TONE ENTERTAINMENT CORPORATION d/b/a SOUND CHOICE ACCOMPANIMENT TRACKS**

Pursuant to Fed. R. Civ. P. 21 and 55(b), Plaintiff files this Motion to Sever and for Entry of Default Judgment against Defendant SLEP-TONE ENTERTAINMENT CORPORATION d/b/a SOUND CHOICE ACCOMPANIMENT TRACKS ("Sound Choice") and in support

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thereof, Plaintiff shows and requests as follows:

1. On June 12, 2007, the Clerk of the Court entered default against Defendant Sound Choice. To expedite a final resolution, Plaintiff requests that its claims against Sound Choice be severed from those asserted against the remaining defendants so that such claims may be tried separately and a final default judgment can be entered. Plaintiff requests further that the Court set a hearing on damages against Sound Choice and ultimately enter final default judgment.

2. Sound Choice was properly served with process, granted numerous extensions of time to answer or otherwise response to Plaintiff's Complaint, but has elected not to defend against Plaintiff's charges of patent infringement and has failed to file any answer or other responsive pleading.

3. Plaintiff's Complaint alleges infringement of U.S. Patent No. 5,464,946. Specifically, Sound Choice has infringed, and continues to infringe, at least claim 16 of the '946 Patent. Sound Choice partners with Napster and RealNetworks, among others, to distribute Sound Choice audio and video content over the Internet. As a consequence of its partnerships (or similar business arrangements or ventures), Sound Choice is liable to Plaintiff as a contributory infringer and/or as an active inducer of infringement.

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For the foregoing reasons, Plaintiff requests that its claims against Defendant Sound Choice be severed from those asserted against the remaining Defendants and that upon or before such severance Plaintiff be allowed to present evidence on damages so that a final default judgment may be entered.

DATED: June 22nd, 2007.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 22, 2007, the foregoing **PLAINTIFF'S MOTION TO SEVER AND FOR ENTRY OF DEFAULT JUDGMENT AGAINST DEFENDANT SLEP-TONE ENTERTAINMENT CORPORATION d/b/a SOUND CHOICE ACCOMPANIMENT TRACKS** was filed electronically with the Clerk of the Court using the CM/ECF system and a copy was mailed to the following:

ENTERTAINMENT CORPORATION d/b/a
SOUND CHOICE ACCOMPANIMENT TRACKS
c/o Kurt J. Slep
14100 South Lakes Drive
Charlotte, North Carolina 28273

Danielle Young
An Employee of Hutchison & Steffen, LLC